

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: MR. AND MRS. GREGORY SWECKER, Complainants, vs. MIDLAND POWER COOPERATIVE, Respondent.	DOCKET NO. FCU-99-3 (C-99-76)
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**SECOND AMENDED PROCEDURAL ORDER AND
NOTICE OF HEARING**

(Issued September 29, 1999)

On September 15, 1999, the Office of Consumer Advocate (OCA) filed a motion to extend the deadline for filing its rebuttal testimony by four weeks. The OCA also requested that the intervenors' testimony be due at least one week before the hearing. On September 17, 1999, Midland Power Cooperative (Midland) filed a response, and the OCA also filed a supplemental statement regarding its motion.

A telephone conference call regarding the motion was held on September 23, 1999. All parties were present, although the Iowa Citizen Action Network (ICAN) withdrew from the call before it was completed.

None of the parties objects to the motion. It would benefit all parties if the OCA has adequate time to analyze information provided to it and prepare rebuttal testimony.

IT IS THEREFORE ORDERED:

1. The procedural orders issued on June 28, 1999 and July 8, 1999, and the order regarding petitions to intervene issued August 27, 1999, are hereby amended as follows:

a. The OCA and the Sweckers must file prepared rebuttal testimony by October 18, 1999.

b. Midland must file surrebuttal testimony by October 29, 1999.

c. The OCA and the Sweckers must file responses to new issues and arguments raised in Midland's surrebuttal testimony by November 10, 1999.

d. The intervenors (ICAN, Mr. Bob Welch, the Iowa Association of Electric Cooperatives (IAEC), and Central Iowa Power Cooperative (CIPCO)) must have filed prepared direct testimony by September 15, 1999. ICAN and Mr. Welch filed prepared direct testimony. The IAEC and CIPCO did not file prepared direct testimony.

e. All parties must file prepared responsive testimony by October 1, 1999.

f. Assuming that CIPCO's and the IAEC's partial motion to dismiss is ruled on the week of October 4, 1999, all parties must file prepared rebuttal testimony by October 20, 1999.

g. If prepared rebuttal testimony is filed October 20, 1999, all parties must file prepared surrebuttal testimony by November 3, 1999.

h. The hearing in this case will be held beginning at 10:00 a.m. November 23, 1999, in the Iowa Utilities Board hearing room, 350 Maple, Des Moines, IA 50319. If needed, the hearing will also be held on November 24, 1999, beginning at 9:00 a.m.

2. If a party refers to a data request and response in prepared testimony, that party must file a copy of the data request and response as an attachment to the document referring to the data request and response.

3. All other provisions of the procedural orders issued on June 28, 1999 and July 8, 1999, and the order regarding petitions to intervene issued August 27, 1999, remain in effect.

UTILITIES BOARD

/s/ Amy L. Christensen
Amy L. Christensen
Administrative Law Judge

ATTEST:

/s/ Raymond K. Vawter, Jr.
Executive Secretary

Dated at Des Moines, Iowa this 29th day of September, 1999.